

ICO consultation on the draft updated data sharing code of practice

Q1 Does the updated code adequately explain and advise on the new aspects of data protection legislation which are relevant to data sharing?

☐ Yes

☒ No

Q2 If not, please specify where improvements could be made.

I'm concerned that the message which the ICO has been pushing for the last 18 months that Consent should be the last basis considered for sharing is being lost in this Code. On Page 13 "Misconception - We can only share data with people's consent. Reality - Not always. You can usually share without consent...." and p78 "What do we need to bear in mind when sharing children's data?....Consent is not the only lawful basis to use. Other lawful bases might be more appropriate." These both lead the reader to think that Consent is in fact the first option to consider rather than the last.

Q3 Does the draft code cover the right issues about data sharing?

☒ Yes

☐ No

Q4 If no, what other issues would you like to be covered in it?

Q5 Does the draft code contain the right level of detail?

☒ Yes

☐ No

Q6 If no, in what areas should there be more detail within the draft code?

Q7 Has the draft code sufficiently addressed new areas or developments in data protection that are having an impact on your organisation's data sharing practices?

☒ Yes

☐ No

Q8 If no, please specify what areas are not being addressed, or not being addressed in enough detail.

Q9 Does the draft code provide enough clarity on good practice in data sharing?

☒ Yes

☐ No

Q10 If no, please indicate the section(s) of the draft code which could be improved, and what can be done to make the section(s) clearer.

Q11 Does the draft code strike the right balance between recognising the benefits of sharing data and the need to protect it?

☒ Yes

☐ No

Q12 If no, in what way does the draft code fail to strike this balance?

Q13 Does the draft code cover case studies or data sharing scenarios relevant to your organisation?

☐

Yes

☒

No

Q14 Please provide any further comments or suggestions you may have about the draft code.

Working for a housing association guidance on pro-active sharing of data with utilities and Councils would be helpful

Q15 To what extent do you agree that the draft code is clear and easy to understand?

- ☐ Strongly agree
- ☒ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree

Q16 Are you answering as:

- ☐ An individual acting in a private capacity (e.g. someone providing their views as a member of the public or the public)
- ☒ An individual acting in a professional capacity
- ☐ On behalf of an organisation
- ☐ Other

Q17 Please specify

Data Protection Specialist for a housing association

Q18 Please specify

Q19 Please specify

Thank you for taking the time to share your views and experience.